



# SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 9.4

**Meeting Date:** June 20, 2024

**Subject:** Approve Resolution No. 3423: Gender Neutral Restrooms

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: \_\_\_\_\_)
- Conference/Action
- Action
- Public Hearing

**Division:** Youth Development Support Services

**Recommendation:** Approve Gender Neutral Restrooms Resolution No. 3423

**Background/Rationale:** Access to restrooms is a fundamental human right. We should not create an environment where students who don't identify with the binary gender must choose whether to use the male or female restroom. We should strive to make our campuses as inclusive and equitable as possible. This resolution aims to ensure that transgender and gender non-conforming students are able to access restroom facilities that align with their gender identity.

**Financial Considerations:** N/A

**LCAP Goal(s):** Youth Voice

**Documents Attached:**

1. Gender Neutral Restrooms Resolution No. 3423

**Estimated Time of Presentation:** 5 Minutes

**Submitted by:** Vanessa Reyes, Youth Services Specialist and the Student Advisory Council

**Approved by:** Lisa Allen, Superintendent

**SACRAMENTO CITY UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION**

**RESOLUTION NO. 3423**

**RESOLUTION TO REQUIRE INSTALLATION OF GENDER-NEUTRAL RESTROOM  
FACILITIES ON DISTRICT SCHOOL CAMPUSES**

**WHEREAS** Board Policy 5145.31 states, “If a transgender or gender non-conforming student or the student's parent/guardian provides notice to school officials of a desire to use a gender neutral or more private restroom, the school shall take steps to provide a reasonable option for the student, which may include but is not limited to, providing the student access to gender neutral restroom facilities or a single stall restroom. Transgender or gender non-conforming students shall not be asked to provide a reason or justification for their request.”

**WHEREAS** Senate Bill Number 760 states that, “on or before July 1, 2026, each school district, county office of education, and charter school, including charter schools operating in a school district facility, maintaining any combination of classes from grades 1 to 12, inclusive, to provide and maintain at least one all-gender restroom for voluntary pupil use at each of its school sites that meet specified criteria.”

**WHEREAS** Assembly Bill 1266, the School Success and Opportunity Act, allows Sacramento City Unified School District (SCUSD) students to access facilities and programs that correspond to their gender identity and “provides a statutory right for a student to use the relevant facilities based solely upon gender identity;”

**WHEREAS** California Education Code Section 35292.5 states that “every restroom in a public and private school maintaining any combination of classes from kindergarten to grade 12, inclusive, shall at all times be maintained and cleaned regularly, fully operational and stocked at all times with toilet paper, soap, and paper towels or functional hand dryers, and that the school shall keep all restrooms open during school hours when pupils are not in classes, and shall keep a sufficient number of restrooms open during school hours when pupils are in classes;”

**WHEREAS** California Education Code Section 35292.5 under the section Gender Neutral Restrooms states that each school district, grades 1 to 12 schools must “provide and maintain at least one all-gender restroom for pupil use that meets the following requirements:

1. Has signage identifying the bathroom facility as being open to all genders and in conformity with Title 24 of the California Code of Regulations.
2. Is available for pupil use, consistent with the requirements of subdivision (a), as unlocked, unobstructed, easily accessible by any pupil, and consistent with existing pupil access to sex-segregated restrooms.

3. Is consistent with the requirements pursuant to Section 35292.6.
4. Is available during school hours and school functions when pupils are present.”

**WHEREAS** California Code of Regulations, Title 5, Section 14030(f)(4), requires that “restrooms are conveniently located, require minimum supervision, and, to the extent possible, are easily accessible from playground and classrooms.”

**WHEREAS** California Education Code Section 35292.6, Menstrual Equity For All Act of 2021, requires that all public schools stock the school’s restrooms at all times with an adequate supply of menstrual products (tampons and pads), available and accessible, free of cost, in all women’s restrooms and gender-neutral restrooms, and in at least one men’s restroom;

**NOW, THEREFORE, BE IT RESOLVED** that there be at least 1 gender-neutral restroom accessible in a student-centered location, intended primarily for student use, at all SCUSD school sites by July 1, 2026 in alignment with Senate Bill Number 760.

**BE IT FURTHER RESOLVED** that Facilities Support Services will develop a plan to have additional restrooms of the same accessibility added to school sites based on student enrollment ratios by July 1, 2027, with priority given to sites with 1000 or more students enrolled; and

**BE IT FURTHER RESOLVED** that restroom installments will begin with an initial cohort of 13 schools representing elementary, K-8, middle, and high schools; based on a cohort determined by the LGBTQ+ Support Services Program and Facilities Support Services with additions recommended by the Student Advisory Council; tentatively including the sites of:

A.M. Winn Elementary, Ethel Phillips Elementary, Theodore Judah Elementary, Genevieve Dideon K-8, Rosa Parks K-8, Umoja International Academy, Sam Brannan Middle School, John F. Kennedy High School, Luther Burbank High School, George Washington Carver High School, C.K. McClatchy High School, Rosemont High School, and Hiram Johnson High School; and

**BE IT FURTHER RESOLVED** that the Sacramento City Unified Board of Education requests the following actions to address the lack of inclusive and accessible restroom facilities:

1. The established task force under LGBTQ+ Support Services collaborates with Youth Development Support Services, with additional membership composed of representation from Facilities, Student Support Health Services, and the Student Advisory Council; and
2. SCUSD Facilities collaborates with school site councils to confirm access to at least 1 gender-neutral restroom, or devise a plan by June 30, 2025 outlining the creation/development of at least 1 gender-neutral restroom accessible in a student-centered location on all SCUSD campuses.

3. The task force will recommend site priorities and the appropriate allocated cost per site per restroom as funding becomes available following the initial rollout of Cohort 1; and
4. If restroom locations with equitable accessibility have yet to be determined, the task force will consult with the school site council at each high school council to determine the best location for these restrooms that ensures ease of accessibility to students on campus; and
5. The task force should be included in the accountability process to ensure that this project is completed within the described timeline and will continue to survey students about the accessibility and quality of their gender neutral restrooms; and
6. The task force should present triannual updates on restroom installments to the Board of Education as an Information Only item during the planning and execution process; and

**BE IT FURTHER RESOLVED** that the SCUSD Board of Education, in collaboration with Facilities, ensures that these restrooms be fully resourced and regularly restocked with necessary items like toilet paper, seat covers, soap, menstrual products (tampons and pads), hand dryers, and paper towels; and

**BE IT FURTHER RESOLVED** that new gender-neutral restrooms will be constructed with locking mechanisms that allow open student access without assistance from staff, as budgets and design specifications become available. Furthermore, Facilities Support Services will update the locking mechanisms of already existing gender-neutral restrooms; and

**BE IT FURTHER RESOLVED** that once locking mechanisms are updated, these restrooms are unlocked during school and expanded learning hours, and easily accessible and conveniently located for students, especially those with disabilities, without needing assistance or a key from a campus worker to access them. These restrooms must be located in high traffic student areas that are accessible to use within allowed restroom time limits at campuses; and

**BE IT FINALLY RESOLVED** that in consideration for the safety, comfort, and overall well-being of LGBTQ+ students, as well as all K-12 students within the Sacramento City Unified School District, this project be prioritized at the utmost importance.

**PASSED AND ADOPTED** by the Sacramento City Unified School District Board of Education on this 20th day of June, 2024 by the following vote:

AYES: \_\_\_\_\_  
NOES: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_  
ABSENT: \_\_\_\_\_

ATTESTED TO:

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Lavinia Grace Phillips  
President of the Board of Education

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Lisa Allen  
Secretary of the Board of Education